

(FW) 2151

ATTORNEY DOCKET NUMBER
063170.8255(19970008-DIV)

PATENT APPLICATION
09/487,593

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Shinya (nmi) Matsuoka

Serial No.: 09/487,593

Filing Date: January 19, 2000

Examiner: Khanh Q. Dinh

Art Unit: 2151

Title: SPATIALIZED AUDIO IN A THREE-DIMENSIONAL,
COMPUTER-BASED SCENE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

REVOCATION OF ATTORNEY AND APPOINTMENT
OF NEW ATTORNEYS FOR NON-PROVISIONAL APPLICATION, WITH
CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Computer Associates Think, Inc., a Delaware corporation, certifies that it is the assignee in the patent application identified above by virtue of a chain of title from the inventors, of the patent application identified above, to the current assignee as shown below:

1. From: Shinya (nmi) Matsuoka
To: Silicon Graphics, Inc.,
a copy of which is attached.

DAL01:877780.1

ATTORNEY DOCKET NUMBER
063170.8255(19970008-DIV)

PATENT APPLICATION
09/487,593

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2. From: Silicon Graphics, Inc.
To: Platinum Technology, Inc.,
a copy of which is attached.
3. From: Platinum Technology, Inc.
To: Platinum Technology IP, Inc.,
a copy of which is attached.
4. From: Platinum Technology IP, Inc.
To: Computer Associates Think, Inc.,
a copy of which is attached.

I hereby revoke all prior powers of attorney in the subject application and appoint the following as principal attorneys with full power to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

I hereby appoint:

Practitioners at Customer Number **05073**

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Please address all correspondence to the following:

Kevin J. Meek, Esq.
at the above-mentioned Customer No.

Please direct all phone calls to the following:

Kevin J. Meek, Esq.
Direct: (214) 953-6680

DAL01:877780.1

ATTORNEY DOCKET NUMBER
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PATENT APPLICATION
09/487,593

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I, Barbara Boland, Secretary of Computer Associates Think, Inc., a Delaware corporation, am empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Computer Associates Think, Inc.

12/13/05
Date

By: Barbara Boland
Barbara Boland
Secretary

DAL01:877780.1

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned: Shinya Matsuoka, the undersigned hereby sell(s) and assign(s) to Silicon Graphics, Inc. (the Assignee) his/her entire right, title and interest

check applicable box(es) ☒ for the United States of America (as defined in 35 U.S.C. § 100),
☐ and throughout the world,

in the invention(s) known as Specialized Audio in a Three-Dimensional Computer-Based Screen for which application(s) for patent in the United States of America has (have) been prosecuted by the undersigned on April 30, 1997 (also known as United States Application No. 08/841,397 filed 4/30/97), in any and all applications thereon, in any and all Letters Patent therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and division and the continuing applications thereof to the full end of the term or terms for which such Letters Patent(s) issue, such entire right and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing divisional, reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing, divisional, reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby covenant(s) that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s) Christopher Byrne, Esquire, Registration No. 32,204, Irene Hu Fernandez, Esquire, Registration No. 34,625 and Steven S. Weiner, Esquire, Registration No. 38,330 of SILICON GRAPHICS, INC., 2011 New Shoreline Blvd., Mountain View, CA 94043-1389, and Robert Greene Sterne, Esquire, Registration No. 28,912, Edward J. Kessler, Esquire, Registration No. 25,688, Jorge A. Goldstein, Esquire, Registration No. 29,021, Samuel L. Fox, Esquire, Registration No. 30,353, David K.S. Cornwell, Esquire, Registration No. 31,944, Robert W. Esmond, Esquire, Registration No. 32,893, Tracy Gene G. Durkin, Esquire, Registration No. 32,831, Michele A. Cimbalà, Esquire, Registration No. 33,851, Michael B. Rzeznicek, Esquire, Registration No. 33,997, Robert E. Sokohl, Esquire, Registration No. 36,013, Eric K. Steffe, Esquire, Registration No. 36,688, Andrea G. Reister, Esquire, Registration No. 36,253 and Daniel N. Yanzuzzi, Esquire, Registration No. 36,727 of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3993 power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rule of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Date: Apr 30 1997 Signature of Inventor: Shinya Matsuoka
Shinya Matsuoka

MEMORANDUM OF ASSIGNMENT

This MEMORANDUM OF ASSIGNMENT confirms and clarifies the previous assignment of patents and patent applications listed on Schedule 1 hereto (the "Patents") made as of July 31, 1998, from Silicon Graphics, Inc., a Delaware corporation having a place of business at 2011 North Shoreline Boulevard, Mountain View, California 94043 ("Assignor") to PLATINUM *technology, inc.*, a Delaware corporation having a place of business at 1815 South Meyers Road, Oakbrook Terrace, Illinois 60181 ("Assignee").

RECITALS

WHEREAS, Assignee and Assignor are parties to a certain Technology Purchase and License Agreement dated July 31, 1998, under the terms of which Assignor agreed to sell and transfer, and Assignee agreed to purchase, certain of Assignor's "Assets" including the "Purchased Cosmo Patents" (as such terms are defined in the Technology Purchase and License Agreement); and

WHEREAS, pursuant to the Technology Purchase and License Agreement, Assignee desired to obtain all of Assignor's right, title and interest in, to and under said Patents;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Assignor, Assignor assigned and does hereby assign nunc pro tunc to Assignee, its successors and assigns, all of its right, title, and interest throughout the world in, to and under the Patents, and the underlying inventions and improvements described therein, and all divisions, renewals, reissues, continuations and continuations-in-part thereof, and all United States and foreign patents which have been or may be granted thereon, and all utility models, design registrations and like rights of exclusion, and for inventors' certificates for said inventions and improvements; together with the right to sue and recover damages for future or past infringements thereof and to fully and entirely stand in the place of Assignor in all matters related thereto.

Assignor agrees to take such further action and to execute applications, assignments, Preliminary Statements and other lawful documents as may be necessary to perfect Assignee's title in and to the Patents.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Assignment to be executed on this 23rd day of December, 1998.

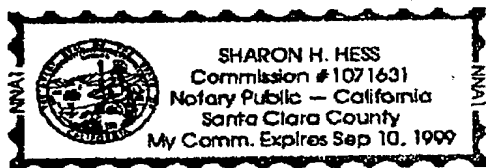
SILICON GRAPHICS, INC.

By: William M. Kelly
Name: William M. Kelly
Title: Senior Vice President of
Corporate Operations

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

On December 23, 1998, before me, Sharon H. Hess, Notary Public, personally appeared William M. Kelly, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Sharon H. Hess
Sharon H. Hess, Notary Public

My Notary Commission Expires on 9/10/99

Acknowledged and accepted:

PLATINUM technology, inc.

By: Larry Freedman
Name: Larry Freedman, Esq.
Title: Senior Vice-President and General Counsel

SCHEDULE 1 TO MEMORANDUM OF ASSIGNMENT

Assignment of
Patents and Patent Applications
from SILICON GRAPHICS, INC.
to PLATINUM *technology, inc.*

<u>SERIAL NO.</u>	<u>FILED</u>	<u>TITLE</u>
08/592,632	1/26/96	ROBUST MAPPING OF 2D CURSOR MOTION ONTO 3D LINES AND PLANES (U.S. Patent No. 5,798,761)
09/095,602	6/11/98	ROBUST MAPPING OF 2D CURSOR MOTION ONTO 3D LINES AND PLANES (continuation of U.S. Ser. No. 08/592,632) (abandoned)
08/640,003	4/30/96	INTERACTIVELY REDUCING POLYGON COUNT IN THREE-DIMENSIONAL GRAPHIC OBJECTS
08/748,613	1/27/99	INTERACTIVE AUTHORIZING OF 3D SCENES AND MOVIES
08/845,858	4/28/97	GENERATING MULTIMEDIA DOCUMENTS
08/901,069	7/28/97	PUBLISHING A HYPERMEDIA DOCUMENT
08/845,857	4/28/97	MANIPULATING GRAPHIC OBJECTS IN 3D SCENES
WO98/03345	4/28/98	MANIPULATING GRAPHIC OBJECTS IN 3D SCENES (PCT application claiming priority from U.S. Serial No. 08/845,857) (withdrawn)
08/903,440	7/30/97	TEXTURE MAPPING 3D GRAPHIC OBJECTS
08/654,297	5/28/96	NETWORK NAVIGATOR WITH ENHANCED NAVIGATIONAL ABILITIES (U.S. Patent No. 5,808,613)
08/716,543	9/19/96	SYSTEM AND METHOD FOR INCREASING THE PERFORMANCE FOR REAL-TIME RENDERING OF THREE-DIMENSIONAL POLYGONAL DATA

SCHEDULE 1 TO MEMORANDUM OF ASSIGNMENT, cont'd

<u>SERIAL NO.</u>	<u>FILED</u>	<u>TITLE</u>
08/694,759	8/1/96	SYSTEM AND METHOD FOR OPTIMIZING A SCENE GRAPH FOR OPTIMIZING RENDERING PERFORMANCE
08/900,471	7/25/97	SYSTEM AND METHOD FOR INCREASING PERFORMANCE BY EFFICIENT USE OF LIMITED RESOURCES VIA INCREMENTAL FETCHING, LOADING AND UNLOADING OF DATA ASSETS OF THREE-DIMENSIONAL WORLDS BASED ON TRANSIENT ASSET PRIORITIES
08/841,397	4/30/97	SPATIALIZED AUDIO IN A THREE-DIMENSIONAL, COMPUTER-BASED SCENE

93460.W11

PATENT ASSIGNMENT

WHEREAS, PLATINUM *technology, inc.*, a corporation of the State of Delaware, having a place of business at 1815 South Meyers Road, Oakbrook Terrace, Illinois 60181 ("ASSIGNOR"), is the owner of the entire right, title and interest in and to certain United States patents and patent applications as well as certain foreign patents and patent applications corresponding thereto, said patents and patent applications being identified in the attached Schedule A and being hereinafter referred to as "PATENTS AND PATENT APPLICATIONS".


WHEREAS, PLATINUM *technology IP, inc.*, a corporation of the State of Delaware, having a place of business at 1815 South Meyers Road, Oakbrook Terrace, Illinois 60181 ("ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the PATENTS AND PATENT APPLICATIONS subject to any licenses previously granted thereunder,

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable considerations paid by ASSIGNEE to ASSIGNOR, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors and assignees, the entire right, title and interest in and to the PATENTS AND PATENT APPLICATIONS, including the right to sue for past infringement thereof.

ASSIGNOR agrees for itself and its successors, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the ASSIGNEE may reasonably request to effectuate fully this assignment.

IN TESTIMONY WHEREOF, ASSIGNOR has caused this Assignment to be executed by its duly authorized officer.

PLATINUM *technology, inc.*

By: 

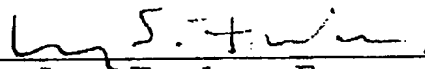
Name: Larry Freedman, Esq.

Title: Senior Vice-President and General Counsel

Date 12-23-98

ASSIGNEE hereby acknowledges receipt of the entire right, title and interest in and to the PATENTS AND PATENT APPLICATIONS.

PLATINUM *technology IP, inc.*

By: 

Name: Larry Freedman, Esq.

Title: Senior Vice President and General Counsel

Date 12-23-98

ACKNOWLEDGEMENTS

ASSIGNOR

State of ILLINOIS)
)
County of DUPAGE) ss

On this 23RD day of DECEMBER, 1998, before me personally came Larry Freedman, Esq., to me known, who, being duly sworn, deposes and says that he is the Senior Vice President and General Counsel of PLATINUM *technology, inc.*, the corporation described in, and which executed the foregoing instrument; that the seal affixed to said instrument is the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation; and he signed his name thereto by like order.



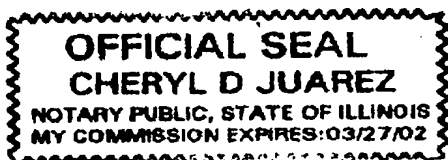
[Notary's Seal]

Cheryl D. Juarez
Notary Public
My Commission Expires

ASSIGNEE

State of ILLINOIS)
)
County of DUPAGE) ss

On this 23RD day of DECEMBER, 1998, before me personally came Larry Freedman, Esq., to me known, who, being duly sworn, deposes and says that he is the Senior Vice President and General Counsel of PLATINUM *technology IP, inc.* the corporation described in, and which executed the foregoing instrument; that the seal affixed to said instrument is the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation; and he signed his name thereto by like order.



[Notary's Seal]

Cheryl D. Juarez
Notary Public
My Commission Expires

SCHEDULE A

<u>SERIAL NO.</u>	<u>FILED</u>	<u>TITLE</u>
08/592,632	1/26/96	ROBUST MAPPING OF 2D CURSOR MOTION ONTO 3D LINES AND PLANES (U.S. Patent No. 5,798,761)
09/095,602	6/11/98	ROBUST MAPPING OF 2D CURSOR MOTION ONTO 3D LINES AND PLANES (continuation of U.S. Ser. No. 08/592,632) (abandoned)
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08/901,069	7/28/97	PUBLISHING A HYPERMEDIA DOCUMENT
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08/716,543	9/19/96	SYSTEM AND METHOD FOR INCREASING THE PERFORMANCE FOR REAL-TIME RENDERING OF THREE-DIMENSIONAL POLYGONAL DATA
08/694,759	8/1/96	SYSTEM AND METHOD FOR OPTIMIZING A SCENE GRAPH FOR OPTIMIZING RENDERING PERFORMANCE

SCHEDULE A, cont'd

<u>SERIAL NO.</u>	<u>FILED</u>	<u>TITLE</u>
08/900,471	7/25/97	SYSTEM AND METHOD FOR INCREASING PERFORMANCE BY EFFICIENT USE OF LIMITED RESOURCES VIA INCREMENTAL FETCHING, LOADING AND UNLOADING OF DATA ASSETS OF THREE- DIMENSIONAL WORLDS BASED ON TRANSIENT ASSET PRIORITIES
08/841,397	4/30/97	SPATIALIZED AUDIO IN A THREE-DIMENSIONAL, COMPUTER-BASED SCENE

93808.W11

PATENT ASSIGNMENT

WHEREAS, PLATINUM *technology IP, inc.*, a corporation of the State of Delaware, having a place of business at 1815 South Meyers Road, Oakbrook Terrace, Illinois 60181 ("ASSIGNOR"), is the owner of the entire right, title and interest in and to certain United States patents and patent applications as well as certain foreign patents and patent applications corresponding thereto, said patents and patent applications being identified in the attached Schedule A and being hereinafter referred to as "PATENTS AND PATENT APPLICATIONS".

WHEREAS, COMPUTER ASSOCIATES THINK, INC., a corporation of the State of Delaware, having a place of business at One Computer Associates Plaza, Islandia, New York 11788-7000 ("ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the PATENTS AND PATENT APPLICATIONS subject to any licenses previously granted thereunder,

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable considerations paid by ASSIGNEE to ASSIGNOR, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors and assignees, the entire right, title and interest in and to the PATENTS AND PATENT APPLICATIONS, including the right to sue for past infringement thereof.

ASSIGNOR agrees for itself and its successors, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the ASSIGNEE may reasonably request to effectuate fully this assignment.

IN TESTIMONY WHEREOF, ASSIGNOR has caused this Assignment to be executed by its duly authorized officer.

PLATINUM *technology IP, inc.*

By: Stmly2
Name: Steven Woghin, Esq.
Title: Vice-President

Date 10.28.99

ASSIGNEE hereby acknowledges receipt of the entire right, title and interest in and to the PATENTS AND PATENT APPLICATIONS.

COMPUTER ASSOCIATES THINK, INC.

By: Stmly2
Name: Steven Woghin, Esq.
Title: President

Date 10.28.99

ACKNOWLEDGEMENTS

ASSIGNOR

State of NEW YORK)
)
County of Suffolk) ss

On this 28th day of October, 1999, before me personally came Steven Woghin, Esq., to me known, who, being duly sworn, deposes and says that he is the Vice President of PLATINUM technology IP, inc., the corporation described in, and which executed the foregoing instrument; that the seal affixed to said instrument is the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation; and he signed his name thereto by like order.

Anne M. Jones
Notary Public
My Commission Expires

[Notary's Seal]

ANNE M. JONES
Notary Public, State of New York
No. 1913478
Qualified in Nassau County
Commission Expires November 23, 19 99

ASSIGNEE

State of NEW YORK)
)
County of Suffolk) ss

On this 28th day of October, 1999, before me personally came Steven Woghin, Esq., to me known, who, being duly sworn, deposes and says that he is the President of COMPUTER ASSOCIATES THINK, INC. the corporation described in, and which executed the foregoing instrument; that the seal affixed to said instrument is the seal of said corporation; that it was so affixed by order of the Board of Directors of said corporation; and he signed his name thereto by like order.

Anne M. Jones
Notary Public
My Commission Expires

[Notary's Seal]

ANNE M. JONES
Notary Public, State of New York
No. 1913478
Qualified in Nassau County
Commission Expires November 23, 19 99

SCHEDULE A

<u>SERIAL NO.</u>	<u>FILED</u>	<u>TITLE</u>
08/592,632	1/26/96	ROBUST MAPPING OF 2D CURSOR MOTION ONTO 3D LINES AND PLANES (U.S. Patent No. 5,798,761)
09/095,602	6/11/98	ROBUST MAPPING OF 2D CURSOR MOTION ONTO 3D LINES AND PLANES (continuation of U.S. Ser. No. 08/592,632) (abandoned)
08/640,003	4/30/96	INTERACTIVELY REDUCING POLYGON COUNT IN THREE-DIMENSIONAL GRAPHIC OBJECTS (U.S. Patent No. 5,894,308)
08/748,613	1/27/99	INTERACTIVE AUTHORIZING OF 3D SCENES AND MOVIES
08/845,858	4/28/97	GENERATING MULTIMEDIA DOCUMENTS
08/901,069	7/28/97	PUBLISHING A HYPERMEDIA DOCUMENT
08/845,857	4/28/97	MANIPULATING GRAPHIC OBJECTS IN 3D SCENES
09/267,351	03/15/99	MANIPULATING GRAPHIC OBJECTS IN 3D SCENES (divisional of U.S. Ser. No. 08/845,857)
WO98/03345	4/28/98	MANIPULATING GRAPHIC OBJECTS IN 3D SCENES (PCT application claiming priority from U.S. Serial No. 08/845,857) (withdrawn)
08/903,440	7/30/97	TEXTURE MAPPING 3D GRAPHIC OBJECTS
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08/716,543	9/19/96	SYSTEM AND METHOD FOR INCREASING THE PERFORMANCE FOR REAL-TIME RENDERING OF THREE-DIMENSIONAL POLYGONAL DATA (U.S. Patent No. 5,973,699)
08/694,759	8/1/96	SYSTEM AND METHOD FOR OPTIMIZING A SCENE GRAPH FOR OPTIMIZING RENDERING PERFORMANCE (U.S. Patent No. 5,896,139)

SCHEDULE A, cont'd

<u>SERIAL NO.</u>	<u>FILED</u>	<u>TITLE</u>
08/900,471	7/25/97	SYSTEM AND METHOD FOR INCREASING PERFORMANCE BY EFFICIENT USE OF LIMITED RESOURCES VIA INCREMENTAL FETCHING, LOADING AND UNLOADING OF DATA ASSETS OF THREE- DIMENSIONAL WORLDS BASED ON TRANSIENT ASSET PRIORITIES (U.S. Patent No. 5,956,039)
08/841,397	4/30/97	SPATIALIZED AUDIO IN A THREE-DIMENSIONAL, COMPUTER-BASED SCENE